

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
12 CVS 3029

THE INSTITUTE FOR SOUTHERN
STUDIES, INC. d/b/a CAROLINA
PUBLIC PRESS; GANNETT PACIFIC
CORPORATION d/b/a ASHEVILLE
CITIZEN-TIMES; GREEN LINE MEDIA,
INC. d/b/a MOUNTAIN XPRESS;
WESTERN NORTH CAROLINA PUBLIC
RADIO, INC. d/b/a WCQS; and SINCLAIR
BROADCAST GROUP, INC. d/b/a
WLOS-TV,

Plaintiffs,

v.

CITY OF ASHEVILLE and BUNCOMBE
COUNTY DISTRICT ATTORNEY'S
OFFICE,

Defendants.

AFFIDAVIT

_____/

RONALD L. MOORE, being first duly sworn deposes and says:

1. I am the elected District Attorney for the 28th Prosecutorial District of North Carolina and have served in that capacity since January 1991.

2. In my capacity as District Attorney for the 28th Prosecutorial District, I received a copy of an inventory report from Blueline Systems and Services, LLC concerning the inventory of the evidence room at the Asheville Police Department. The aforementioned inventory was conducted as a result of items of evidence that were discovered as being either missing or misplaced. It is my understanding that Blueline Systems and Services, LLC entered into a contract with the City of Asheville to conduct such an inventory and at the conclusion of the inventory the report was to be provided to me in my capacity as District Attorney to determine, among other things, whether criminal investigations should commence and ultimately whether or not criminal charges should be filed against any person or persons.

3. I was not a party to any contract with Blueline, nor the City of Asheville. Since receiving this report I have not authorized Blueline to present a copy to the City because of the ongoing criminal investigations. I am not aware of any copies or excerpts of this report having been provided to the City by anyone else.

4. At this time, I have determined that the release of the report or any portions of it to the City would likely jeopardize one or more criminal prosecutions; undermine ongoing or future criminal investigations; and create publicity, which might prevent a Defendant from receiving a fair trial. Under Rule 3.6 of the Rules of Professional Conduct, I am prohibited from "disseminating by means of public communication extrajudicial statements that I know will have a substantial likelihood of materially prejudicing an adjudicative proceeding. Until the investigations are

complete, I cannot determine which portions of the report, if any, may be disclosed and I will not authorize Blueline to provide the report or any portion of it to the City until those investigations are concluded.

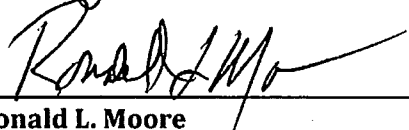
5. My primary obligation is to serve the people of the State of North Carolina and the 28th Prosecutorial District as District Attorney. As District Attorney, my job requires that I review all information, which might be evidence of criminal activity and, if warranted, pursue criminal prosecution of those persons involved in such activity. Criminal investigations involving the evidence room at the Asheville Police Department are ongoing. If at the conclusion of these investigations, I determine that portions of the report, after redaction, can be released without jeopardizing prosecutions or undermine any ongoing or future criminal investigations, I will cause such redactions to be made and authorize Blueline to release those portions to the City in the form of a redacted report.

6. I know that the source of the funding for payment to Blueline was drug forfeiture monies, which are required to be used for law enforcement purposes.

7. Public disclosure of this report or any part of it before I have had the opportunity to finish determining which portions may be released to the City and when and upon which conditions will in my opinion jeopardize ongoing or future criminal investigations and prosecutions.

Further Affiant sayeth not.

This the 29 day of August, 2012.

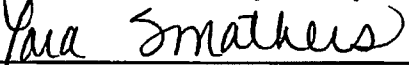


Ronald L. Moore

State of North Carolina
County of Buncombe

Sworn to and subscribed before me this day by Ronald L. Moore. (a) I have personal knowledge of the identity of the principal(s); or (b) I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a ; or (c) X a credible witness has sworn to the identity of the principal(s)

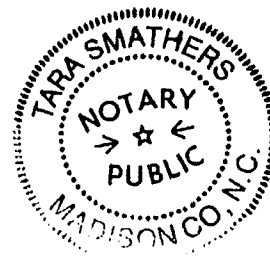
Date: 8/29/12



Name: TARA Smathers
Notary Public

My commission expires:

11-11-2014



CERTIFICATE OF SERVICE

I hereby certify that today an accurate copy of the foregoing *Affidavit of Ronald L. Moore* was served by facsimile and electronic mail on:

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August 30, 2012.

A handwritten signature in cursive script, appearing to read "Ronald K. Payne", is written over a horizontal line.